



June 7th, 2013.

United States District Court  
Southern District Of New York

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:  
Frankie Perez, :  
Petitioner, :  
:  
-v- :  
United States of America, :  
Respondent, :  
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Case. No. 13 Civ. 3025 (DLC)  
08 Cr. 798

NOW COMES Defendant, Frankie Perez, herein and through, an PRO SE, manner moving this Honorable Court to grant his petition.

The defendants' reasons for filling his petition beyond the one year statue of limitations under the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), are as follow:

1) Defendant Perez wasn't knowledgeable of any procedure for filing the petition until the defendant accessed the Electronic Law Library at the institution. At that time was when I became aware of the Statue of Limitations for filling the 28 USC 2255.

2) Defendant Perez wasn't able to fill the 28 USC 2255 due to that information needed to complete the application wasn't available at the time. Defendant Perez only had access to the documents provided by the court at the time of filling the application. Perez sent several letters and various emails to both the case Attorney, Ms. Jennifer Brown and Appeal Attorney Mr. Edward Zas. However the documents were not send on time for the filling of the application.

3) Defendant Perez was placed in Transit to another facility before he could complete and submit the application on time. When Perez arrived at the designated facility, he was retrieving his property to find that the original application and the documents attached to the application became missing in transit. Upon the review of the documents and going through the different venues to try and find the documents, Perez gave up on the application.

Therefore, in January 2013, of the current year, I Defendant Perez renewed my efforts to gather as much information as possible needed to complete another 28 USC 2255 application After receiving some documents and reading material from notes from the case I Defendant Perez Filled another Application.

I, Frankie Perez, the defendant of this case hereby ask the court to grant me this petition , and that the court give me the opportunity of bringing all the ~~t~~ infromation I have gather through the time I have been incarcelated.

Respectfully Submitted,

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Frankie Perez

On June 1 of 2012.